

# The Scoop on Navigating Guatemalan Customs

By *Daniel Orellana*

**U.S.** agricultural exports to Guatemala have been increasing steadily, up 26 percent from calendar years 1997 to 2001, when they reached \$300 million.

The 12 million people who live in this Central American country with ports on the Pacific and Gulf of Mexico are also buying more consumer-oriented products. During this five-year span, U.S. consumer-oriented exports to Guatemala almost doubled to reach a record \$102 million, surpassing both bulk and intermediate exports in calendar 2001.

Some good news for exporters—in 2000, copyright legislation was enacted that protects brands and trademarks registered thereafter in Guatemala. The country's automated electronic customs clearance system, introduced in 2001, has also created more transparency in import procedures.

This up-and-coming market has certain requirements that need to be understood by U.S. exporters to expedite sales. The first order of business is to find a reputable, experienced importer. If you already export to Guatemala, you are familiar with the two regulatory agencies that manage most of the country's imports—the Ministry of Health's Registration and Control of Medicines and Foods (Food Control) section and the Ministry of Agriculture's Norms and Regulations section.

Food Control upholds the food product norms set by Guatemala's Ministry of Economy's Commission of Standards. Norms and Regulations issues import licenses.



Recent legislation has led to some changes in the way imports are handled. The following requirements outline the steps and documents needed for smooth processing through customs in Guatemala.

### Paper Trail Begins at Customs

All imported foods of animal or vegetable origin must be accompanied by the following documents:

- Sanitary and/or phytosanitary certificate
- Certificate of origin
- Commercial invoice
- Free sale certificate
- Bill of lading

## Labeling in Spanish, Por Favor

**T**hough the requirement for Spanish on labeling hasn't been enforced, it is recommended that exporters comply with this law to assure an easy exodus through customs now and in the future. Stickers in Spanish applied to original packaging are also acceptable.

Bulk-packed food products do not require labeling, unless sold at retail as individual units. Nutritional labeling is not required, but expiration dates are. However, almost all products now have nutritional information.

Labels must have the following information:

- Product description
- Product name
- Net weight or volume
- List of ingredients and additives by percentage
- Name, address and telephone number of Guatemalan distributor
- Food registration number along with sanitary license number
- Expiration date
- "Keep frozen" or "form of preparation," if applicable

- Packing list
- If a high-risk product (e.g., meats, dairy products, eggs and poultry), a microbiological certificate
- Sanitary registration number for packaged products

Import certificates are secured from these agencies:

- All products of plant or animal origin must be inspected by Norms and Regulations.
- For processed foods, signoff and stamp from Control de Alimentos is required.
- Once approval is secured from one of the above entities, inspection by the regional inspection entity in Central America is required.

After the import certificate is issued, the importer pays duties and usually picks up the items; however, a "red light" can require additional reviews of documentation and container contents. Number discrep-

ancies among the various import documents are the main culprits in these delays.

### Packaged Goods Need Registration

Though unprocessed foods, raw materials and food additives do not require registration, each packaged product must secure a registration number from Food Control, good for five years. The registration and the required laboratory analysis cost about \$150.

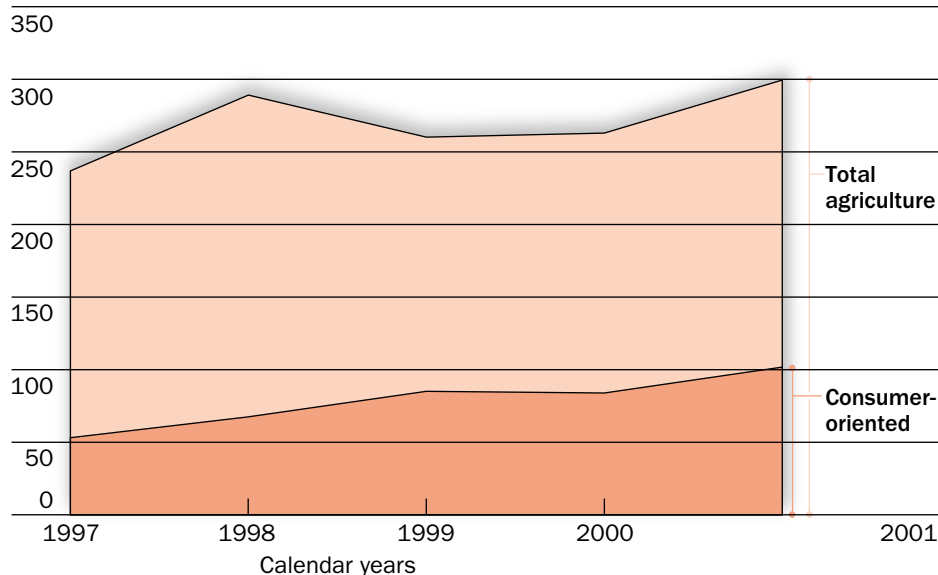
The importer or a Guatemalan legal representative must initiate the registration process, which takes about six weeks. What is needed to complete the registration process?

- Application
- Certificate of free sale
- Receipt for payment of the lab analysis at the National Laboratory
- Samples
- Example of label
- Spanish translations of all paperwork

### 2001 U.S. Exports to Guatemala Reach Record \$300 Million

Consumer-Oriented Sales Account for One-Third

\$ Million



### Codex for Additives, Pesticides

Though additives approved by Codex Alimentarius were used in creating the originally approved additives, Guatemala goes through a six-month approval process for additions even if approved by Codex.

Guatemala also keeps a list of prohibited pesticides, based on similar lists maintained by Codex, the U.S. Environmental Protection Agency and the United Nations Food and Agriculture Organization. And Guatemala has adopted Codex tolerance level standards.

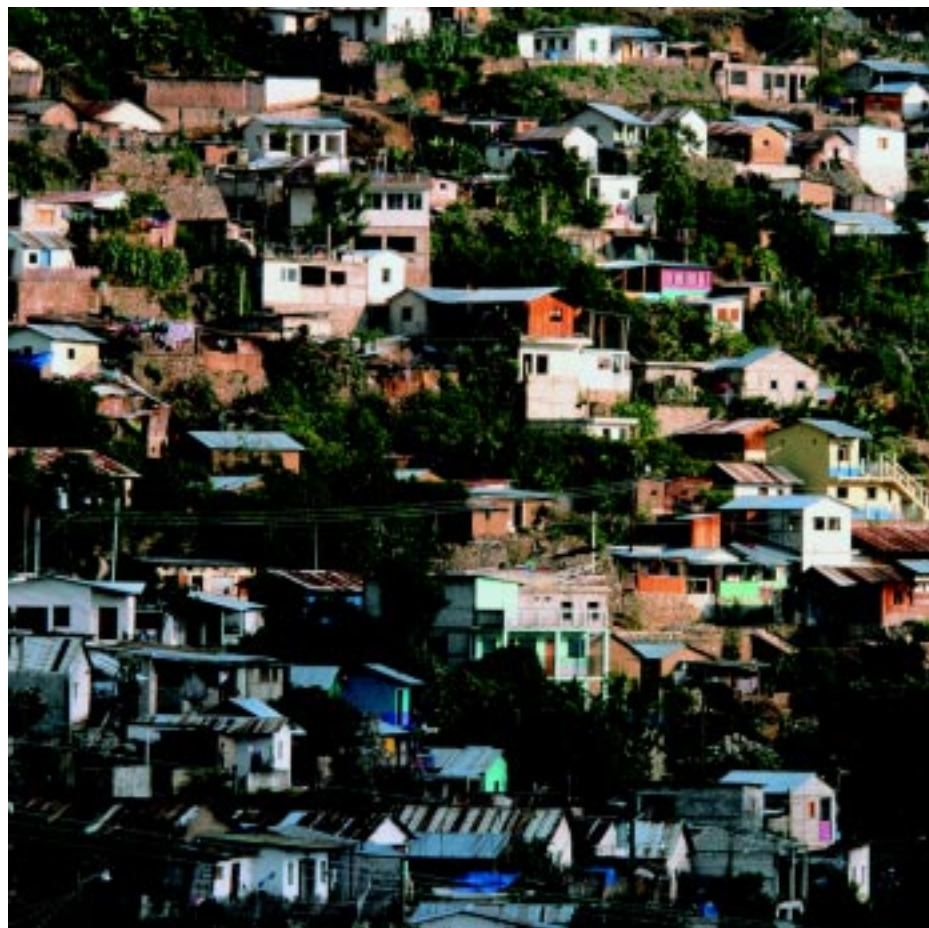
To assure the wholesomeness of packaged products, further inspections may be conducted at the point of entry, and at wholesale and retail levels.

The United States does have an agreement with Guatemala allowing samples used for exhibitions, special events and promotions to bypass the lengthy registration process. Permission must be obtained from Food Control to bring samples into the country. A free sale certificate is needed and samples cannot be over 2 kilograms per product (although weight exceptions are allowed in some instances).

### Sanitary Import Certificate Process

All products of plant or animal origin are required by law to have sanitary import certificates from the technical director of Sanitary Inspection and Control of Food Products. To secure an import certificate, an exporter must submit an application plus this paperwork:

- Articles of incorporation and registration certificate of business of importer
- Official appointment document naming legal representative
- Commercial license
- Sales tax collection permit



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- Import and export licenses from the Bank of Guatemala
- Appointment of veterinarian as regent (professional technically responsible for product wholesomeness), acceptance by veterinarian and statement from veterinarian verifying sanitary conditions of product storage area

The regulations require a visit by a Guatemalan official to ascertain the imported product's sanitary condition, but this requirement has not yet been enforced. Also required are an inspection of the local storage warehouse prior to the first shipment and an environmental impact study, if the product is to be used in a processing plant. ■

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For details, see FAS Report GT2016. To find it on the Web, start at [www.fas.usda.gov](http://www.fas.usda.gov), select **Attaché Reports** and follow the prompts.

